

# **Legislative and Funding Policy Committee February 19, 2008 Minutes**

**Lake Tahoe Community College  
One College Drive, (Room – E100)  
South Lake Tahoe, California**

## **1. Call to Order - 1:00 p.m.**

### **Roll call**

Co-chair Sig Rogich – Absent  
Co-chair Kate Dargan – Absent  
Acting Chair Bud Hicks – Present  
Ron McIntyre – Present  
John Pickett – Present  
John Upton – Present  
Patrick Wright – Present

Because Co-chairs Dargan and Rogich were absent, the committee members present voted Commissioner Bud Hicks Acting Committee Chair.

### **Review and approval of minutes – Action**

**Motion** – Move to approve the January 24, 2008 minutes

### **Second**

**Vote** - Minutes approved

### **Review of Agenda – Discussion**

## **2. Consideration of Proposed Findings and associated Recommendations in the following areas - Discussion/Action**

### **A. Emergency Declaration and Continuity Plan – Discussion/Action**

No comments from staff

**V-002 Discussion** – All Commissioners present expressed concern over the need to provide for follow-thorough and oversight on the Commission's recommendations after the Commission's report is completed. It was noted that the recommendation, as proposed, could not be implemented because the actions taken by the Governors that formed the Commission also provide that the Commission and its authority shall expire after the report is issued. Therefore, it was believed that the Commission could not have a "standing committee" that could continue its work under its present charter. After discussion, Commissioner Hicks suggested that this F&R be amended as follows:

*“The authority of the Bi-State Fire Commission should be extended or a successor commission be established by the Governors of the States of Nevada and California to oversee the recommendations to the Governors and to insure progress is made on their implementation. This successor commission should meet periodically and report on at least a yearly basis to the Governors on the status of the implementation of the Commission’s recommendations and on fire pre-suppression and forest health preservation efforts within the Lake Tahoe Basin.”*

**Motion** – Recommend approval and acceptance by the Commission of F&R V-002 as amended.

**Second**

**Public Comment** – None

**Vote** – Passed Unanimously

**V-004 Discussion** - This F&R is acceptable, but probably should be merged with other F&Rs that address the same topic.

**Motion** – Recommend approval and acceptance by the Commission of the findings, background, and recommendations as presented and request staff to combine these findings and recommendations with another F&R as appropriate.

**Second**

**Public Comment** – None

**Vote** – Passed Unanimously

**V-043 Discussion** – Co-Chair Dargan is working on amendments to this F&R; it was therefore suggested that this item be tabled to next meeting when Co-chair Dargan would be present. The understanding is that V-043 when is fleshed out, will be the basis for the Emergency Declaration. Acting Chair Hicks asked that legal counsel for California and Nevada to have the DRAFT Emergency Declarations (either a joint Declaration or separate ones for each state) ready for review at the next committee meeting.

**V-046 Discussion** – No objection was stated as to this F&R, but it was believed that this topic has been addressed in other F&Rs.

**Motion** – No action

**Second**

**Public Comment** – None

**Vote** – Passed Unanimously

## **B. Funding Issues – Discussion/Action**

**V-003 Discussion** – It was noted that this F&R addresses an important topic, namely federal funding and the SNPLMA funding source, and that the Commission is going to receive more information on this process from

Jane Freeman. Additionally, it was noted that Commissioner Rogich may have some suggestions and input on the question of long-term federal funding for fuels removal projects and forest health issues affecting the Basin. There was discussion as to what are the appropriate levels of Federal, State and local/private funding. It was noted that maintenance costs continue, after initial clearing is done. Commissioner Pickett expressed support for the idea of an endowment. Following discussion, it was decided to continue this matter to the next meeting in order to allow more information to be provided on the SNPLMA process.

**Motion** – Table to next meeting

**Second**

**Public Comment** –

– Because this is for the long term, the two states should do the right thing and do their share. This should be part of the next environmental improvement project for the Lake Tahoe Basin.

– Input regarding SNPLMA will be helpful in determining the possibility of long term funding for such matters.

**Vote** – Passed Unanimously

It was suggested by committee members that this group of Funding issues be sent to a working group to be put into a comprehensive F&R. Several of the Commissioners offered to work on this suggestion.

**V006 Discussion** - This item was skipped because it addresses a number of different issues, including some better handled by one of the other Committees; the LFPC will come back to it at the end of this meeting or at a future meeting.

**V044 Discussion** – Suggestions was to use the 10 year plan to help us with listing what we need, and what we have. The understanding is that the 10 year plan has all the information and the cost; including estimates by agency (USFS, State Parks, etc.). Commissioner Pickett noted that some of the numbers used in the 10 Year Plan need to be increased and updated, and offered to work with Rick Robinson to prepare a summary of the funding required by the 10yr plan for presentation to the Committee at the next meeting.

**V-052 Discussion** – It was noted that the topic of this F&R has been covered in other F&Rs addressed by other committees, and that no action on it is therefore required.

**Motion** – No action

**Second**

**Public Comment** – None

**Vote** – Passed Unanimously

**V-053 Discussion** – It was noted that this recommendation is addressed to the Commission, and that the Commission has sought the information requested by this recommendation. It was therefore decided no action was necessary on this matter.

**Motion** – No Action

**Second**

**Public Comment** – None

**Vote** – Passed Unanimously

**V-064 Discussion** – It was noted that this F&R may have been addressed elsewhere, but that it should be adopted by the Commission. However, it was noted that the funding source should be identified if possible.

**Motion** – Recommend approval and adoption by the Commission, with a request that the proponents of the F&R provide a recommending funding source for this recommendation.

**Second**

**Public Comment** –

Two questions asked were, what are the obstacles to local funding? And what has prevented jurisdictions from successfully creating taxes or parcel fees? The following discussion noted:

- Counties have the same problem: there is no stable funding source; they rely on grants etc.
- The process to get things on the ballot in California not only takes and initial assessment but 51% vote by the people. Prop 218 – public lands are part of the deal takes 2/3+ vote. Voters get tired of being asked for money.
- The proponents of this F&R should provide clarification as to the sources of funding, whether local and private, and whether it is to include State and Federal funds.

**Vote** – Passed Unanimously

**V-065 Discussion** – It was noted that this F&R relates to the topic matters addressed in F&R's V-102 and V-107, and it was suggested that further discussion be tabled on V-065 until these matters can also be addressed. The matter was therefore tabled for the time being.

**V-073 Discussion** – There was a great deal of discussion about this matter in response to questions by several commissioners to the proponents. Concern was expressed by several Commissioners that implementation of this recommendation would add costs to projects and delay in getting them permitted. Commissioner Hicks noted that mitigation efforts are already considered as part of the permitting process in most matters, and questioned the need for these additional findings, background and recommendation. The proponents argued that:

- The cost of environmental mitigation needs to be included in the cost and benefits of treatments in the basin.

- Would like to see a cost comparison analysis of fuels treatment in the basin; the cost analysis section of the 10 year plan would be helpful. It was also pointed out that not all externality can be quantified.
  - There are many ways to implement a project and the alternatives should be considered, including consideration of the environmental requirements
- Motion** – Table Item, revisit at next meeting; request the proponents to offer specific recommendations and/or language on this item
- Second**
- Public Comment** – None
- Vote** – Unanimously passed.

**2:55 pm Committee recessed so that the Commissioners could reconvene for the scheduled Commission meeting. Mr. Hicks announced that the Committee will reconvene in the Board room following the Commission meeting.**

**5:20 pm Committee reconvened**

Acting Chair Hicks - Because of the late hour and so not to keep staff beyond their working hours the committee will adjourn and all items not addressed will be held over to the next meeting of the Committee. Committee members are asked to study the packet of F&Rs and be ready to act on them at the March 6, meeting.

**Adjournment – Action**

## Sign-in Sheet

<b>Name</b>	<b>Agency</b>
Jan Brase	Nevada Governor's Office
Robert Kilroy	Nevada Attorney General's Office
Brett Storey	Placer County, CA
John Pang	Meeks Bay Fire Protection District
Steve Chilton	TRPA
Julie Regan	TRPA
John Singlaub	TRPA
Todd Ferrara	CA Resources Agency
Christine Sproul	CA Attorney General's Office
Joanne Marchetta	TRPA
Laurel Ames	CA Water Network
Terri Marceron	USFS – LTBMU
Barry Hill	USFS – Region
Pam Robinson	ISFS – LTBMU